

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

UNITED STATES OF AMERICA

VS. CRIMINAL CASE NO. 3:12-cr-88-003(DCB)(FKB)
CIVIL ACTION NO. 3:15-cv-85(DCB)

WILLIE EARL CULLEY

DEFENDANT

ORDER

This cause is before the Court on the United States of America's motion for affidavit from defendant William Earl Culley's former counsel (**docket entry 394**), and on the government's motion for additional time (**docket entry 395**) to respond to the defendant's motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255. The Court finds as follows:

The defendant's motion pursuant to 28 U.S.C. § 2255 alleges ineffective assistance of counsel with regard to his former counsel, the Honorable Terence L. High. The government states that it needs the record to be developed through an affidavit from attorney High in order to respond to the defendant's allegations. The government also seeks additional time to file its response to the defendant's motion to vacate under § 2255.

Accordingly,

IT IS HEREBY ORDERED that the government's motion for affidavit from defendant's former counsel (**docket entry 394**) is GRANTED;

FURTHER ORDERED that the government furnish copies of the defendant's motion to vacate under § 2255 to Terence L. High, Esq., former counsel for the defendant in the above-referenced criminal proceedings; and that said former counsel for the defendant respond to the allegations made by the defendant in his motion, within thirty (30) days from the date of entry of this Order, by written affidavit, said affidavit to be furnished to the government;

FURTHER ORDERED that the government's motion for additional time (**docket entry 395**) to respond to the defendant's motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255 is GRANTED;

FURTHER ORDERED that the government shall file its response to the defendant's motion to vacate under § 2255 no later than thirty (30) days after the submission of the above-referenced affidavits.

SO ORDERED, this the 3rd day of December, 2015.

/s/ David Bramlette
UNITED STATES DISTRICT JUDGE